REMARKS

Applicants respectfully requests reconsideration of this application.

Claims 16 and 48 have been amended to place the application in better condition for Appeal or Allowance.

The Office Action asserts that claims 1-49 are rejected under 35 U.S.C. § 103(a) as being upatentable over Freed in view of Turner.

The Office Action concedes on page 5 that "Freed does not explicitly disclose omitting payload normally associated with the session such as voice data or graphic data, however it is understood by the Examiner that the recitation of a "a first authorization record that the user network entity employs to dynamically request network services, a list of the filtering (blocking) rules" provides support for it to have been obvious for one of ordinary skill in the art, at the time of the invention to have been motivated to modify the Freed disclosure to read upon the claimed invention. The above citation is the understood motivation for this modification."

The Office Action further concedes that "Freed is silent in disclosing the servicing command is in a payload portion of a voice-over-IP packet or a payload portion of an instant message packet," however, the Office Action with reference to column 6, lines 28-55 of Turner asserts that this feature is disclosed.

The relied upon portion of Turner recites:

> The GUI controller 25 also is configured for outputting application-based responses (i.e., "posts") 34 based on the supplied user inputs from the user input interface 24 and based on the application-based commands that specify the manner in which the posts 34 should be generated. Hence, each application, executed locally (e.g., application 30) or remotely (e.g., a server 16), operate according to a request/response system, enabling deployment of arbitrary application within the Voice over IP telephone device 12 based on standardized messaging protocols, described below.
>
> The Voice over IP telephone device 12 implements application-specific messaging using extensible markup language (XML) documents 90, referred to as "application state documents", that are used to define the generic messaging protocol (i.e., command set) available to executable applications. In particular, the GUI controller 25 includes a stack 36, and an XML module 38. The XML module 38 includes an XML file store 40 for storing XML documents 90, and an XML parser 42 for parsing a selected XML document. Each XML document 90 corresponds to a specified state of an executable application (hence the term "application state document"), and may reference another XML document. Each XML document 90 includes XML tags that specify an operation to be performed: for example, XML tags can specify the manner in which display elements 20 are to be displayed, how input operations are to be performed by the user input interface 24, how inputs supplied by a user should be interpreted, how audio files should be played, etc.

Applicants respectfully submit that this portion of Turner is absolutely devoid of any teaching, suggestion, or disclosure of embedding a service command in a payload portion of a voice-over-IP packet or a payload portion of an instant messaging packet as claimed.

Moreover, Turner is directed toward a completely different invention, does not even mention the term "firewall," nor has any technical reason to include servicing commands in a payload portion of a voice-over-IP packet or a payload portion of an instant messaging packet.

In contrast, in Turner, the application controllers are configured for supplying the commands to the interface controller and to display requests based on execution of application operations. The application operations may be executed locally (i.e., within the user interface device), or remotely (e.g., by a server in communication with the user interface device). Contrary to the Office Action's assertions, Turner is completely incapable of operating in the manner claimed. More specifically, column 6, lines 13-26 of Turner recites:

> The GUI controller 25 is configured for receiving application-based commands (i.e., "requests") 32 from the application controller 28 that specify an application state (specified by an XML document 90) to be performed. For example, each application-based command 32 is received by the GUI controller 25 in the form of a text-based message, and specifies at least one of a display operation that specifies display parameters (e.g., an application object and corresponding application information) for a display element 22, an input operation specifying an input operation for a soft key or a hard key by the user input interface 24, and/or response logic enabling the GUI controller 25 to determine how to respond to a prescribed user input supplied by the user input interface 24.

Turner goes on further to state in column 7, beginning on line 59 that:

> Hence, the local and remotely executed applications control the user interface of the Voice over IP telephone device 12 by sending text-based messages to the GUI controller 25; the text-based messages are used to identify an XML document 90, stored in the XML file store 40, to be parsed for identification of display elements and selected input operations to be provided to the display screen 20 and the user input interface 24, respectively. The XML module 38 outputs the display element identifier and/or the input operation identifier, also referred to in FIG. 3 as application objects 64, in the form of a request 62 which is output to an arbitrator 48. The arbitrator 48 is configured for selecting the requests 62 that are executed immediately, as opposed to being cached, described below. The selected display element identifiers are supplied to the GUI elements table 44 for retrieving the display elements to be displayed and/or the input operations to be performed.
>
> The GUI controller 25 also include a messaging interface 52 configured for receiving event messages 54, composed of text-based messaging. In particular, the event messages are time-oriented messages that specify the occurrence of prescribed events, for example

> a one second timer for updating the time display element, or other time-oriented messages occurring independently of local or remote application states. The event messages may be sent either to the XML module 38 for parsing a prescribed XML document 90 (e.g., for playing an audio or video announcement), or to the GUI elements table 44 for generation of a display element including the supplied text.

This is further evidence by the fact that Turner, at no point except for in a tangential reference to another application, even mentions "instant messaging," nor the ability to embed a servicing command in a payload portion of an instant messaging packet. Turner also fails to mention the word "packet" nor teaches, suggests, or discloses the content of any type of packet.

In that Turner fails to teach, suggest or disclose:

1. A firewall,
2. A need to embed service commands to get the commands through the firewall,
3. The content of any type of packet, and
4. Any technology capable of operating in the claimed manner,

Applicants respectfully submit that the Office Action is completely untenable and should be withdrawn.

Therefore, and again at least based on the above, Applicants respectfully submit all claims are clearly patentably distinguishable from the references of record and respectfully request the issuance of an immediate Notice of Allowance.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is encouraged to contact Applicants undersigned representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to deposit account number 19-1970 any fees under 37 CFR § 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby petitioned.

Respectfully submitted,

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By: _____

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